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**QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM
OF DETENTION OR IMPRISONMENT, IN PARTICULAR: TORTURE AND OTHER
CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT**

Written statement submitted by the International Federation of
Human Rights, a non-governmental organization in consultative
status (category II)

The Secretary-General has received the following communication, which
is circulated in accordance with Economic and Social Council
resolution 1296 (XLIV).

[29 January 1992]

Systematic practices of torture and other cruel, inhuman
or degrading treatment in Kosovo

1. The International Federation of Human Rights and the Council for the Defence of Human Rights and Freedoms, its affiliated organization in Kosovo, wish to bring the question of the systematic practice of torture, as exemplified by the case of Kosovo, to the attention of the Special Rapporteur on torture.
2. Daily, for the last two years, the Council for the Defence of Human Rights and Freedoms has been receiving numerous complaints from the population concerning acts of torture and other cruel, inhuman or degrading treatment inflicted on it by the police and military personnel. These complaints highlight the extent of that practice in Kosovo. It is used in a systematic

manner not only against persons who have been arrested and detained at police stations but also during ordinary identity checks or searches. All these complaints have recently been published in a report containing the following allegations:

(a) On 5 June 1991, in the village of Cerce, the police assaulted Ymer Berisha and Sokol Osmanajn, who were not carrying their identity cards;

(b) On 8 June, at 5 a.m., about 15 policemen surrounded the house of Sinan Kosumit (60 years old), which is situated in an isolated spot 2 km from the village of Koretin (Kamenice). The policemen beat up his son Baki (18 years old) in front of his mother and his younger brothers. They ordered him to hand over his "hidden weapon". Having found no weapon on him, the policemen took Baki and his father to the police station, where they were beaten;

(c) On 24 June 1991, during an identity check in the centre of Deçan, the police arrested Dervish Ukaj and his wife Miliana Stijoviq, together with his brother-in-law Dragan and his sister-in-law. They detained them for four hours in the police station, where they were ill-treated, particularly Miliana who was accused of having "betrayed" her people by marrying an Albanian;

(d) On 7 July 1991, on the Gjakovë-Prishtinë road, in the vicinity of Bec, the police ill-treated and beat Musë Prenkë Noka (born in 1971) from Novosellë (Gjakovë) because he had not been able to reply in Serbian to the questions that he had been asked;

(e) On 9 July 1991, the police stopped Hasan Shala's vehicle in front of a petrol station at Deçan. After checking his papers, the officers struck him in the face in the presence of his wife and children because they had recognized him as being a former policeman. They then handcuffed him and took him to the police station, where he was beaten. A medical certificate details the injuries caused by the policemen;

(f) On 12 July 1991, the police reservists Bozha Marinkoviq and Bogi Noviq beat up Habib Ademaj, a mental patient, at the police station at Shtimje;

(g) On 15 July 1991, Rame Brahim Gorçaj, from the village of Studenicë (Istog), who works in Sweden, was arrested by the police. He was taken to the police station at Istog and subsequently to the police headquarters at Peje, where he was ill-treated from 9 a.m. to 1 p.m. in office No. 45 because he had refused to reveal the addresses of Albanian political refugees in Sweden. He remembers only the name of the Serbian inspector, Mr. Moma Pantiq from the village of Cerrcë (Istog). On his release, he consulted a physician who issued him with a medical certificate proving that he had been beaten;

(h) On 8 August 1991, the brothers Skënder and Shefqet Gashi from Sopniq (in the district of Rahovec) were beaten by drunken policemen on patrol;

(i) On 12 September, Ferid Shehu, a sociologist from Kaçanik, was detained at the police station for 15 hours. He was tied to the radiator, beaten and subjected to the threat of being thrown out of the window;

(j) From 9 to 16 September, Hysen Shala from Zeqishte (Rahovec), Adem Zhegrova, a miner working at the "Golesh" mine (Prishtine), Bashkim Mustafe Gashi from Lug i Baranit (Peje), Agim Ademi from Raushiq (Peje), Ibrahim Bytyqi, Hilmi Kastrati and Bajram Hasan Bytyqi from Prizren, and Sinan Mazreku from Dushanove (Prizren) were arrested, interrogated and beaten by the Serbian police before being released;

(k) On 30 September, the police interrogated and tortured the following persons: Avdi Kadri Shala from Kusuriq (Peje), Ose and Zenel Smajli from Ramun (Peje), Muhamet Berisha from Kryshec (Peje), Anush Qerim Dinaj from Raushiq (Peje), Rrustem A. Qerreti from Kryshec (Peje), Rexhep M. Kaliçani from Peje, Sadik M. Berisha from Vitimirice (Peje), Muje Lajçi and Halil Nikçi from Malaç (Peje), Sadik Sh. Gjonbalaç from Dubovik (Peje), Nebih Ademi and his 14-year-old son Ziadin from Kerpimeh, Bejtullah and Sabri Rexhepi from Prishtine and Sylejman Shabani, Fatmir Syla and Eset Maloku (14 years old), from Mitrovicë;

(l) On 14 October 1991, the following persons were summoned to the police station, where they were ill-treated and beaten: Jashar Kabashi, a professor at the Faculty of Arts at Prishtine and the teachers Ismail Bajraktari (Suhareke), Ferat Perçuku (Vuçiterne), Xhafer Murtezi, Avdyl Mifatari and Hamez Bimbashi (Skenderaj), Shemsedin Koshi, Asllan Deliu and Ibrahim Bala (Mitrovicë);

(m) On 25 November, around 2 p.m., at Vushterri, policemen burst into public buildings and ill-treated all the persons whom they found there. The policemen also arrested and ill-treated passers-by, including children;

(n) On 3 December, near Penuhe (district of Podujevë), at around 8.30 p.m., four policemen arrested Latif Talla, who was driving his lorry, and beat him until he lost consciousness;

(o) On 22 December, in the cattle market at Deçan, the police beat up Rasim Mulaj, from the village of Lluke e Epërme, and Mete Kasumaj (25 years old) from the village of Lloqan. The latter was bound and forced to run behind the police car;

(p) On 30 December 1991, at Krushevc (Serbia), the police checked the bus travelling from Rovinj (Slovenia) to Kosovo. The passengers Qamil Mazreku (born in 1967) from Prizren and Tafil Spahiu (born in 1965) from Kosterc (district of Serbice) were taken to the police station, where they were brutally tortured. The Serbian inspectors Zharko Stepanovic and Dejan Jovanovic apparently showed particular zeal in this regard.

3. The Council for the Defence of Human Rights and Freedoms in Kosovo and the International Federation of Human Rights are particularly concerned at the brutal manner in which numerous children and young persons are being treated,

especially in the schools. In the period March to December 1991, the Council recorded more than 60 cases in which children were ill-treated by the police, including:

(a) On Sunday, 2 June, the police arrested Fitim Sinani, Ramiz Ahmeti, Sami Rrustemi, Muhamet Bytyqi, Agim Sherifi and Bekim Xheladini, a group of fourth-grade students, outside the school at Banulle and took them to the police station, where they were beaten;

(b) On 4 June, Bedri Binaku and Afrim Bytyci, students at the Technical Centre at Prizren, were beaten by the Serbian police on their way to the school;

(c) On 24 June, Afrim Dobruna (18 years old) and Arber Toçana (15 years old) were arrested by the police, beaten and then taken to the police station, where they were again beaten;

(d) On 22 September, the police beat up the young Muhadin Bytyci from Mirash (Ferizaj) because he had refused to disclose to the police the place where young recruits were living;

(e) On 7 October, at Pejë, the police arrested, ill-treated and beat up the students Xhevdet Tahiraj, Besim V. Zekaj and Daut Krasniqi;

(f) On 14 October, at Pejë, the police ill-treated the following students: Xhemajl Sheremeti, Sadik, Mire Berisha, Selman Jusufaj, Sali Fetahu and Daut Krasniqi; A. Kaçanik, Neshat Luma and Iljaz Loku; A. Zheger, Bilall Halili, Nezir Neziri, Mustafa Musliu and Isa Hyseni;

(g) On 4 December, in the Qarok quarter at Zhur, soldiers rounded up 12 children from 9 to 13 years of age and took them to a distance of 2 km from their homes, where they were beaten and abandoned.

4. Teachers and members of trade-union and political movements have also been subjected to ill-treatment:

(a) On 8 August, the Serbian police beat the teacher Feriz Hyseni, from the village of Nerodime in the district of Ferizaj, in a public square;

(b) On 16 August, Shefqet Pllana, Shaqir Berisha, Eset Shabani, Mustafe Shala, Ilmi Berisha and Belgjyzare Derguti, who are teachers from Mitrovica, as well as Islam Sherifi from Prishtina, Hajriz Ramusholli from Manastirc (Ferizaj) and Dibran Hoti from Bradash (Podujeve), were arrested, interrogated and beaten by the Serbian police before being released;

(c) On 11 June 1991, Afrim Baktiri, a member of the Parliamentary Party, was summoned by the police to the bus station at Prishtinë, where he was beaten and ill-treated by the police without any reason. He was released after 30 minutes;

(d) On 14 June, the police took to the police station, for interrogation, 17 persons from various political parties who had gathered for a discussion at Deçan;

(e) On 1 July, at Deçan, during a silent march by Albanian workers who had been dismissed from their jobs, the police fired several shots and arrested and beat up the workers Zeke Prekalla and Gani Çekaj at the police station.

5. The officers guilty of these acts of brutality are acting in total impunity, in flagrant violation of articles 2, 3 and 5 of the Code of Conduct for Law Enforcement Officials and articles 2 and 11 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

6. The Council for the Defence of Human Rights and Freedoms in Kosovo and the International Federation of Human Rights remain at the disposal of the Special Rapporteur on torture for any additional information.
